

Kentucky Transportation Cabinet

Public Participation Process For Statewide Transportation Planning

The Kentucky Transportation Cabinet (KYTC) has established procedures for the development of the Statewide Transportation Plan (STP) and the Statewide Transportation Improvement Program (STIP) as mandated by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Transportation Equity Act for the 21st Century (TEA-21), and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the Congressional acts that authorized ongoing federal-aid transportation programs. In developing these procedures, the KYTC complied with 23 CFR 450.212 (a) which stated that “Public involvement processes shall be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement.” At this writing, regulations have not yet been fully developed for implementation of SAFETEA-LU. However, the KYTC is attempting to be “pre-compliant” with SAFETEA-LU regulations to the extent practicable. The KYTC has established the following public involvement process to cover both the STP and the STIP:

- 1) The formal STP document will cover a 20-year planning horizon, with amendments and updates prepared periodically as changes occur. Metropolitan long-range plans will be incorporated by references to their specific, federally-required documents. The formal STIP document will be prepared on a biennial basis to coincide with state legislative approval of the biennial update of the Transportation Cabinet’s Six-Year Highway Plan. To ensure that the public has ample opportunity to review and comment on the development of the STP and STIP documents, the KYTC proposes that each proposed update or major revision of the STP and STIP be subjected to a 30-day comment period to be advertised in statewide, significant regional, and demographically targeted newspapers. These newspapers are to include the Louisville Courier-Journal, the Lexington-Herald Leader, and the Kentucky Post; and as appropriate, the Clarksville Leaf Chronicle, the Tennessean, the Fort Campbell Courier, the Kentucky New Era, the Jessamine Journal, the Evening News-Louisville, the Tribune-Louisville, and others determined to be appropriate to reach minority or underserved populations within the state. These newspaper advertisements will specify a 30-day comment period, will identify an individual to whom comments can be sent, will inform the public of the appropriate website address, will state that copies of the document are available upon request at no charge, and that translation services are available upon request. Upon identification by the KYTC of minority and low-income populations within the state, the KYTC will pursue appropriate measures to reach these populations through tools such as translation services, notices on public transit systems and public libraries, and/or publishing the executive summary of the document or legal notices in Spanish as

appropriate. The KYTC may hold public meetings in places where these populations are comfortable gathering and/or place legal notices in newspapers such as Le Voz-Lexington, Hoy-Louisville, The Spanish Journal-Cincinnati, the Cincinnati Herald, and others as appropriate. If “low-literacy” or “limited English proficiency” population concentrations are identified, the KYTC will work to create a meaningful outreach proposal targeted specifically for such groups. Copies of the Draft STP and Draft STIP will be publicly displayed in each of the twelve Highway District Offices, each of the fifteen Area Development District (ADD) offices, and each of the nine regional Metropolitan Planning Organization (MPO) offices. Copies of the document will also be made available to transit providers, the Federal Transit Administration (FTA), USDA Forest Service, FHWA Eastern Federal Lands Highway Division, and other federal, regional, and state agencies responsible for land use management, natural resources, environmental protection, conservation, historic preservation, and to any individuals who ask to be included on an official mailing list maintained by the KYTC. In reviewing a Draft STP or Draft STIP, the KYTC will involve various interagency groups that represent environmental, traffic, ridesharing, parking, transportation safety and enforcement, commuter rail operations, airports, port authorities, toll authorities, and appropriate private transportation provider concerns. The KYTC will also involve city officials as appropriate, as well as local, state, and federal environmental resources and permit agencies. In each case, the reviewing entity will be expected to provide comments within the specified review period. Letters announcing the availability of the Draft STP or Draft STIP document will be sent to each county judge/executive and to the mayors of all communities over 5,000 population. Public outreach will be considered in those instances where the complexity of the plan or magnitude of public response indicates to the KYTC the need for additional public information. This outreach effort may consist of public meetings, notices to neighborhood associations, legal notices in local newspapers, or any additional efforts that will significantly enhance the public’s understanding of the planning-level recommendations being presented by the STP or STIP document. The number, time, and location of such meetings will be tailored to fit the circumstance being addressed. If such public outreach is deemed necessary, the Draft STP or Draft STIP comment period will be extended to allow adequate time for receipt of post-meeting comments. Wherever possible, Metropolitan Planning Organization (MPO) public involvement processes will be coordinated with the statewide process to enhance public consideration of the issues, plans, and programs and to reduce redundancies and costs. The Draft STP or Draft STIP document will be posted to the KYTC web site.

- 2) After an initial 30-day comment period, the KYTC will aggregate comments, prepare responses, and finalize the STP or STIP document. Copies of the final edition of the STP or STIP document will be made available to both the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for review and comment. A summary of the aggregated comments and responses thereto will be prepared for the FHWA and/or FTA if so requested by those agencies.

- 3) When the FHWA/FTA comments have been addressed, the final STP or STIP document will be made available for public information in the same manner as the draft document was circulated for review and comment. In addition, the final STP or STIP document will be posted to the KYTC web site.
- 4) As outlined in 23 CFR 450.212(d), a reasonable opportunity for public review and comment must be afforded whenever major revisions to the STP or STIP are proposed between formal update cycles. The need for a STIP Amendment is determined by an action to add, delete, or materially change a project's fund source, MPO Transportation Improvement Program (TIP) standing, or significant project scope adjustment. Changes determined to be "major" that are from areas outside of the MPO boundaries will require public involvement when it is agreed by the KYTC and the FHWA that such change significantly alters the planning level conditions set forth by the STIP. The need for public input is dependent upon the complexity of the proposed revision and will be determined by state and local officials on a "case-by-case" basis. For amendments determined to be "major" that are from areas outside of the MPO boundaries, a 30-day public review period will be provided, with newspaper advertisements and other possible public outreach efforts described above targeted to the specific region of the state directly affected by the proposed STP or STIP amendment. Copies of the proposed amendment will be displayed at the appropriate District, ADD, and MPO offices for public review and comment. At the conclusion of the 30-day review period, public comments will be addressed, additional public outreach will be conducted as necessary, and the final amendment will be provided to FHWA and FTA for approval. For Amendments to the STIP from areas within MPO boundaries, the public involvement conducted for the respective TIP may suffice as the required public involvement for the STIP. For minor revisions to the STP or minor amendments to the STIP, the official STP or STIP mailing list will be utilized to distribute information pertaining to the revision. Public involvement is not required for minor STIP Amendments, or additions and/or deletions to the list of projects that are grouped together and listed as "Z-Various." Administrative changes to the STIP also do not require public involvement since those types of changes are defined as minor data entry error corrections, splitting or combining projects without modifying the original project design, concept, and scope, or moving a project from one federal funding category to another.
- 5) The effectiveness of the Kentucky statewide planning public involvement process will be reviewed at a minimum once every two years in accordance with CFR 450.212 (a) (7) to ensure that the process is providing full and open access to the public. Process revisions will be pursued as deemed appropriate.

Any individual, agency, or organization may provide written comments to:

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